



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,628	12/26/2001	John I. Johnson	71493-1037 /pw	4432

7380 7590 11/03/2005

SMART & BIGGAR/FETHERSTONHAUGH & CO.  
P.O. BOX 2999, STATION D  
900-55 METCALFE STREET  
OTTAWA, ON K1P5Y6  
CANADA

EXAMINER

PITARO, RYAN F

ART UNIT PAPER NUMBER

2174

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/025,628

Applicant(s)

JOHNSON ET AL.

Examiner

Ryan F. Pitaro

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-30 and 32-34 is/are allowed.
- 6) ☐ Claim(s) 31, 35 and 36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-36 have been examined.
2. Claims 1-36 are pending in this application. This action is Final.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 31 is rejected under 35 U.S.C. 102(a) as being anticipated by Planas et al ("Planas", US 6,112,015).

As per independent claim 31, Planas discloses a method in a computer system for displaying network management information for an optical network (Column 3 lines 66-67, Column 4 lines 1-2), said optical network comprising a plurality of nodes and a plurality of links for transmitting optical signals between said plurality of nodes (Column 4 lines 17-21, Column 5 lines 20-31), wherein each of said optical signals is a multiplexed combination of a plurality of channel signals, the method comprising: Identifying in the plurality of nodes, add/drop nodes at which a channel signal may be

Art Unit: 2174

added to, and/or dropped from, an optical signal on the optical network (Column 5 lines 20-31), displaying a network topology panel (Column 4 lines 58-62), and displaying in the network topology panel, a graphical representation of only those of the plurality of nodes which have been identified as add/drop nodes (Column 6 lines 37-42).

5. Claims 35 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Naik et al ("Naik", US 2004/0081308).

As per claim 35, Naik discloses a method displaying network management information for an optical network said Optical network comprising a plurality of nodes each comprising at least one optical component, and a plurality of links for transmitting optical signals between said plurality of nodes ([0388] lines 1-3, [0392] lines 1-3), said optical network further comprising at least one route of optical signal transmission, said route comprising a start node, an end node, and intermediate nodes and intermediate links through which an optical signal is transmitted between the start node and the end node on the route ([0392] lines 1-3), the method comprising: upon selection of a selected node, displaying in tabular form in a routes panel, information respecting each route which includes the selected node (Figure 33, [1082] lines 1-3).

As per claim 36, Naik discloses a method displaying network management information for an optical network said Optical network comprising a plurality of nodes each comprising at least one optical component, and a plurality of links for transmitting optical signals between said plurality of nodes ([0388] lines 1-3, [0392] lines 1-3), said optical network further comprising at least one route of optical signal transmission, said

Art Unit: 2174

route comprising a start node, an end node, and intermediate nodes and intermediate links through which an optical signal is transmitted between the start node and the end node on the route ([0392] lines 1-3), the method comprising: upon selection of a selected link, displaying in a tabular form in a routes panel, information respecting each route which includes the selected link ([0332] lines 1-4).

***Allowable Subject Matter***

6. Claims 1-30 and 32-34 are allowable.

The following is an examiner's statement of reasons for allowance: The patentable distinction of the claims over the prior art is the interface for the optical network monitoring the optical components of the network, and displaying optical component information associated with each start, intermediate, and end node when selected along with the other limitations of the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

Applicant's arguments filed 8/12<sup>xx</sup>/2005 have been fully considered but they are not persuasive.

With respect to claim 31, Applicants argue that Planas does not teach the filtering as claimed. However, the Examiner respectfully disagrees Planas does in fact teach filtering as discussed by the Applicants. While Planas uses grouping to solve the problem of clutter groups are specified by the administrator. The graphical representation of the network may only include a subset of all the objects in the network, which if specified may only be the group of nodes which are identified as add/drop nodes.

With respect to claims 35 and 36, Applicants argue that Naik does not teach selecting and displaying route information. The Examiner respectfully disagrees, in accordance with Figure 8, paragraphs [0332]-[0392] specifies how each link is selectable and how it is viewable on the topology map with its link information.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Monday-Thursday, and alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro  
Art Unit 2174  
Patent Examiner

RFP

*Kristine Kincaid*  
**KRISTINE KINCAID**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**